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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 27, 2000

APPLICATION OF

OLD DOMINION ELECTRIC COOPERATIVE
d/b/a COOPERATIVE ENERGY

CASE NO. PUE000345

For license to conduct
business as a competitive
service provider in electric
and natural gas retail access
pilot programs

ORDER GRANTING LICENSE TO
PROVIDE NATURAL GAS SERVICE

On July 10, 2000, Old Dominion Electric Cooperative d/b/a Cooperative Energy ("ODEC") completed an application for licensure to conduct business as a competitive service provider to all classes of customers throughout the Commonwealth in conjunction with any electric retail access pilot program approved by the Commission. ODEC subsequently amended its application on August 4, 2000, to also seek licensure as a competitive service provider in natural gas retail access pilot programs. The Commission has approved such pilot programs for Columbia Gas of Virginia, Inc., and Washington Gas Light Company. ODEC's amended application to provide gas service was completed by a supplemental filing on September 13, 2000.

On September 25, 2000, the Commission issued an Order for Notice and Comment on ODEC's amended application for a license

to provide natural gas service, requiring that notice of the amended application be published, providing for receipt of comments from the public, and requiring the Commission's Staff to analyze the reasonableness of ODEC's application and present its findings in a Staff report to be filed on or before October 13, 2000.

On October 6, 2000, ODEC filed proof of the public notice of its amended application as required by the September 25, 2000, Order. No comments from the public were received.

The Staff filed its Report on ODEC's amended application to provide competitive natural gas service on October 13, 2000. The Staff concluded that ODEC satisfies the financial and technical fitness requirements for licensure as a competitive service provider for retail natural gas service in the pilot programs of Columbia Gas of Virginia, Inc., and Washington Gas Light Company.¹

ODEC did not file a response to the Staff Report.

¹ This Staff Report addressed only ODEC's amended application regarding provision of natural gas service. The Staff had previously filed a Memorandum on August 14, 2000, relative to ODEC's application for licensure as a competitive service provider in electric retail access pilot programs. By motion also filed on August 14, the Staff requested that we rule on whether ODEC must form an affiliate or subsidiary to obtain a license to conduct business as a competitive service provider in electric retail access pilots. Based upon the pleadings and oral argument from the Staff and ODEC, we ruled on September 20, 2000, that § 56-587 D of the Code of Virginia does require ODEC to form an affiliate or subsidiary if it desires to participate as a competitive service provider in electric retail access pilot programs. No similar motion was made relative to ODEC's amended application for a license for the natural gas retail access pilots, and we do not address that issue in granting this license.

NOW THE COMMISSION, upon consideration of the ODEC's application as amended, the Staff report, and the applicable law, is of the opinion and finds that ODEC's amended application to provide natural gas service should be granted. Accordingly,

IT IS ORDERED:

(1) Old Dominion Electric Cooperative d/b/a Cooperative Energy is hereby granted License No. PG-9 to provide competitive natural gas supply service in conjunction with the retail access pilot programs of Columbia Gas of Virginia, Inc., and Washington Gas Light Company.

(2) This license to act as a competitive service provider is granted subject to the provisions of the Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10, et seq. ("Interim Rules"), this Order, and applicable orders, rules, and statutes.

(3) This license shall expire upon termination of the respective pilot programs unless otherwise ordered by the Commission. This license is not valid authority for the provision of any product or service not identified within the license itself and for which a license is required.

(4) The failure of Old Dominion Electric Cooperative d/b/a Cooperative Energy to comply with the Interim Rules, the provisions of this Order, other State Corporation Commission orders and rules, or other applicable state or federal laws may

result in an enforcement action by the Commission including, without limitation, the revocation, suspension, or modification of the license granted herein, the refusal to renew such license, the imposition of appropriate fines and penalties, or such other additional actions as may be necessary to protect the public interest.

(5) This case shall remain open for consideration of any subsequent amendments or modifications to the license granted herein.